

May 22, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CLINTON KENNEDY,

Plaintiff,

v.

S. PATZKOWSKI, L. ROBERTS, T.
MINK, R. GONZALES, T. SNYDER,
J. AIYER, F. IVEY, A –
GONZALES, D. HOLBROOK, S.
SUNDBURG, C. SCHETTLER, D.
CALDWELL and J. BENNETT,

Defendants.

NO: 4:18-CV-05028-SMJ

**ORDER OF CLARIFICATION AND
DIRECTING DOCUMENTS BE
STRICKEN FOR LACK OF
SIGNATURE**

By Order filed April, 23, 2018, the Court directed that the claims of Plaintiff Clinton Kennedy be severed from those of Plaintiff Kyntrel Jackson, a.k.a. Sinister Daevayasnam God, and that each Plaintiff proceed in his own separate action. ECF No. 28. The initial complaint received on February 16, 2018, ECF No. 1, became the operative complaint in this action when filed on April 25, 2018, ECF No. 30. On the same date, the Court granted Plaintiff Kennedy's request to proceed *in forma pauperis*. ECF No. ECF No. 29.

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STRICKEN FOR LACK OF SIGNATURE --1

1 As a point of clarification, neither Donna Hubbs nor Alisa Ridenaur were
2 named as Defendants in the initial complaint in this action, ECF No. 1. Therefore,
3 when this action was severed, they were terminated on April 23, 2018. Plaintiff
4 Jackson is free to litigate against Defendant Hubbs in his separate action if he
5 chooses. If Plaintiff Kennedy wishes to add Ms. Hubbs as a Defendant to this
6 action, he is free to amend his complaint to add her as a Defendant and to present
7 facts showing how she violated his constitutionally protected rights.

8 The Court had also received numerous documents labeled “Motions” which
9 were unsigned. *See* ECF Nos. 14, 16, 17, 18 and 19. Although these deficiencies
10 were brought to the attention of both Plaintiffs proceeding in this action at that
11 time, Plaintiff Kennedy has failed to sign these motions or the original, operative
12 complaint, ECF Nos. 1 and 30.

13 The Court has compared the signatures on documents presented for the
14 purpose of proceeding *in forma pauperis*, ECF Nos. 2, 3, and 8, and finds that Mr.
15 Kennedy has not signed the original Complaint, ECF Nos. 1 and 30, or any of the
16 Motions in this action as required by Federal Rule of Civil Procedure 11(a).
17 Consequently, this Court is required by that same rule to strike the Complaint, ECF
18 No. 30, as well as the Motion for Preliminary Injunction, ECF No. 14, the
19 Motion/Emergency Complaint, ECF No. 16, the Motion for Change of Judge, ECF


1 No. 17, the Motion for Appointment of Counsel, ECF No. 18, and the Motion for
2 Physical and Mental Examination, ECF No. 19.

3 Accordingly, **IT IS ORDERED** that the Clerk of Court shall **STRIKE** from
4 the record the Complaint, ECF No. 30, and the Motions, ECF Nos. 14, 16, 17, 18
5 and 19, as required by Federal Rule of Civil Procedure 11(a). The Clerk of Court
6 shall also **TERMINATE** any notes for hearing associated with these Motions.

7 Any future documents Plaintiff Jackson may wish to file may be filed in his
8 separate action, 4:18-cv-5069-SMJ. Again, if Plaintiff Kennedy wishes to proceed
9 with this action, he must amend his complaint as directed in the Order to Amend or
10 Voluntarily Dismiss, entered on April 25, 2018, ECF No. 31. Plaintiff Kennedy
11 must sign each document he presents to the Court, including any First Amended
12 Complaint he may choose to file. Any document which is received without
13 Plaintiff Kennedy's signature will be stricken as required by Federal Rule of Civil
14 Procedure 11(a).

15 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order
16 and provide copies to both Plaintiff Kennedy and to Plaintiff Jackson. Plaintiff
17 Jackson shall file no further documents in this action.

18 **DATED** this 22nd day of May 2018.

19 
20 SALVADOR MENDEZ, JR.
United States District Judge

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